

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CHARLES SHAW

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:07cv1KS-MTP

JEFFERY ROGERS, ET AL

DEFENDANTS

JUDGMENT

This matter is before the court on separate Motions to Dismiss filed on behalf of Defendant Rogers [#6], Defendant Clark [#15] and Defendant Matthews [#14] pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, and on Motion for Partial Summary Judgment pursuant to Rule 56 filed by the plaintiff, Charles Shaw [#8]. The Court, being fully advised in the premises and having entered a separate Memorandum Opinion and Order;

It is Ordered and Adjudged:

That the separate Motions to Dismiss filed on behalf of Defendant Rogers [#6], Defendant Clark [#15] and Defendant Matthews [#14] are hereby Granted and the plaintiff's claims against these defendants are dismissed with prejudice; and

That the remaining defendants are dismissed, without prejudice, for failure of the plaintiff to timely serve process and that the Motion for Partial Summary Judgment [#8] filed by the plaintiff is Denied; and

That any other pending motions are dismissed as moot.

SO ORDERED AND ADJUDGED this the 29th day of May, 2007.

s/ Keith Starrett

UNITED STATES DISTRICT JUDGE